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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional) 2003P08728WOUS

In re Application of: Andreas Heselhaus

Application No. 10/578,425 Filed: March 29, 2007

For: HIGH-TEMPERATURE LAYERED SYSTEM FOR DISSIPATING HEAT AND METHOD FOR PRODUCING SAID

The owner*, <u>Siemens Aktiengesellschaft</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on **reference** <u>US Patent No. 7,402,335</u>, date of patent <u>07/22/2008</u>; as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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